

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

STEPHEN M. LUCI,

Petitioner,

vs.

**Civil Action No. 3:07 CV 11
(Maxwell)**

THOMAS McBRIDE, Warden,

Respondent.

ORDER

Having considered the Petitioner's Motion for Permission to Appeal In Forma Pauperis and Affidavit in support thereof, filed in the above-styled *habeas corpus* action on August 3, 2007, it is

ORDERED that, pursuant to Rule 24(a) of the Federal Rules of Appellate Procedure, the Petitioner's Motion for Permission to Appeal In Forma Pauperis (Docket No. 18) be, and the same is hereby, **GRANTED**, and the Petitioner may proceed on appeal without prepayment of costs or fees.

ENTER: August 13, 2007

/S/ Robert E. Maxwell
United States District Judge